



Journal of the House

State of Indiana

112th General Assembly

First Regular Session

Tenth Meeting Day

Wednesday Afternoon

January 24, 2001

The House convened at 1:00 p.m. with the Speaker in the Chair.

The invocation was offered by Pastor Dan Dix, Southside Christian Church, Bloomington, the guest of Representative Peggy Welch.

The Pledge of Allegiance to the Flag was led by Representative Benjamin E. GiaQuinta.

The Speaker ordered the roll of the House to be called:

T. Adams	Hoffman
Aguilera	Kersey
Alderman	Klinker
Atterholt	Kromkowski
Avery	Kruse
Ayres	Kruzan
Bardon	Kuzman
Bauer	Lawson
Becker	Leuck
Behning	Liggett
Bischoff	J. Lutz
Bodiker	Lytle
Bosma	Mahern
Bottorff	Mangus
C. Brown	Mannweiler
T. Brown	McClain
Buck	Mellinger
Budak	Mock
Buell	Moses
Burton	Munson
Cheney	Murphy
Cherry	Oxley
Cochran	Pelath
Cook	Pond
Crawford	Porter
Crooks	Richardson
Crosby	Ripley
Day	Robertson
Denbo	Ruppel
Dickinson	Saunders
Dillon	Scholer
Dobis	M. Smith
Dumezich	V. Smith
Duncan	Steele
Dvorak	Stevenson
Espich	Stilwell
Foley	Sturtz
Frenz	Summers
Friend	Thompson
Frizzell	Tincher
Fry	Torr
GiaQuinta	Turner
Goeglein	Ulmer
Goodin	Weinzapfel
Grubb	Welch
Harris	Whetstone
Hasler	Wolkins
Herndon	D. Young
Herrell	Yount
Hinkle	Mr. Speaker

Roll Call 11: 100 present. The Speaker announced a quorum in attendance. [NOTE: • indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 24, 2001, at 10:00 a.m.

LYTLE

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has overridden the veto of the Governor on House Enrolled Act 1150.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 32, 33, 63, 164, and 174 and the same are herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolution 8 and the same is herewith returned to the House.

MARY C. MENDEL
Principal Secretary of the Senate

HOUSE BILLS ON SECOND READING

House Bill 1729

Representative Lytle called down House Bill 1729 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1729-40)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 43, line 11, after "established" insert "**to provide a source of money to:**

- (1) conduct environmental assessments and other activities necessary or convenient to complete the environmental assessments; and**
- (2) provide for the remediation of environmental contamination".**

(Reference is to HB 1729 as printed January 22, 2001.)

HARRIS

Motion prevailed.

HOUSE MOTION (Amendment 1729-4)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 27, line 39, after "15." insert "(a)".

Page 28, between lines 2 and 3, begin a new paragraph and insert:
"**(b) After June 30, 2004, the commission may not permit the sale of pari-mutuel pull tab tickets at a location described in section 5(1), 5(2), or 5(3) of this chapter unless a satellite facility described in section 17 of this chapter is operating and pari-mutuel pull tab**

tickets are being sold at the satellite facility described in section 17 of this chapter."

(Reference is to HB 1729 as printed January 22, 2001.)

DENBO

Motion prevailed.

HOUSE MOTION
(Amendment 1729-37)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-33-2-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 3.5. "Automated teller machine" means a piece of unmanned electronic or mechanical equipment that performs routine financial transactions for authorized individuals.**"

Page 11, between lines 6 and 7, begin a new paragraph and insert:
"SECTION 8. IC 4-33-2-5.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 5.6. "Cruise" means to depart from the dock while gambling is conducted.**"

Page 11, delete lines 36 through 40, begin a new paragraph and insert:

"SECTION 13. IC 4-33-2-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 17. "Riverboat" means either of the following on which lawful gambling is authorized under this article:**

(1) A self-propelled ~~excursion~~ boat located in a county described in IC 4-33-1-1 that complies with IC 4-33-6-6.

(2) A permanently or continuously moored vessel located in a county described in ~~IC 4-33-1-1~~ on which lawful gambling is authorized and licensed under this article. **IC 4-33-1-1 that complies with IC 4-33-16.**

SECTION 14. IC 4-33-4-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 10. If a riverboat cruises**, the commission shall authorize the route of ~~a~~ the riverboat and the stops, if any, that the riverboat may make **while on a cruise."**

Page 12, line 10, reset in roman "operation".

Page 12, line 10, before "docking" insert "or".

Page 13, line 4, reset in roman "operates from".

Page 13, line 4, before "is" insert "or".

Page 13, line 7, reset in roman "operates from".

Page 13, line 7, before "is" insert "or".

Page 13, line 10, reset in roman "operates from".

Page 13, line 10, before "is" insert "or".

Page 13, line 16, reset in roman "operate upon".

Page 13, line 16, delete "are" and insert "or dock".

Page 13, line 17, delete "docked".

Page 13, line 20, reset in roman "operating from".

Page 13, line 20, before "docking" insert "or".

Page 14, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 19. IC 4-33-6-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 6. (a) If a riverboat that operates in a county described in IC 4-33-1-1(1) or IC 4-33-1-1(2) cruises, the riverboat must:**

(1) have a valid certificate of inspection from the United States Coast Guard for the carrying of at least five hundred (500) passengers; and

(2) be at least one hundred fifty (150) feet in length.

(b) ~~A riverboat that operates on Patoka Lake must:~~

(1) ~~have the capacity to carry at least five hundred (500) passengers;~~

(2) ~~be at least one hundred fifty (150) feet in length; and~~

(3) ~~meet safety standards required by the commission.~~

(c) ~~This subsection applies only to a riverboat that operates on the Ohio River. A riverboat must replicate, as nearly as possible, historic Indiana steamboat passenger vessels of the nineteenth century. However, steam propulsion or overnight lodging facilities are not required under this subsection."~~

Page 16, line 3, delete "conduct gambling games authorized under this article" and insert ":

(1) **conduct gambling games authorized under this article while the riverboat is cruising or docked; and**

(2) **allow the continuous ingress and egress of passengers for purposes of gambling."**

Page 16, delete lines 4 through 5.

Page 16, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 22. IC 4-33-9-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 3. (a) Except as provided in subsection (b), a riverboat excursions cruise may not exceed four (4) hours for a round trip.**

(b) Subsection (a) does not apply to an extended cruise that is expressly approved by the commission.

SECTION 23. IC 4-33-9-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 14. (a) This section applies only to a riverboat that operates from a county that is contiguous to the Ohio River.**

(b) A ~~gambling excursion cruise~~ is permitted only when the navigable waterway for which the riverboat is licensed is navigable, as determined by the commission in consultation with the United States Army Corps of Engineers."

Page 18, line 33, delete "IC 4-33-4-10;"

Page 18, line 33, delete "IC 4-33-6-6;"

Page 18, line 34, delete "IC 4-33-9-3; IC 4-33-9-14;"

Page 35, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 44. IC 4-33-9-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 15. (a) All tokens, chips, or electronic cards that are used to make wagers must be purchased from the owner of the riverboat:**

(1) while on board the riverboat; or

(2) at an on-shore facility that:

(A) has been approved by the commission; and

(B) is located where the riverboat docks.

(b) The tokens, chips, or electronic cards may be purchased by means of an agreement under which the owner extends credit to the patron.

(c) **The credit that the owner extends to the patron under subsection (b) may not be secured by:**

(1) **a mortgage (as defined in IC 26-1-9.1-102(a)(55)); or**

(2) **a certificate of title for a vehicle owned or held by the patron.**

SECTION 45. IC 4-33-9-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 17. Withdrawals from an automated teller machine located on a riverboat may not exceed two hundred dollars (\$200) per account per calendar day."**

Page 42, line 13, delete "25%" and insert "22.5%".

Page 42, line 15, delete "30%" and insert "25%".

Page 42, line 17, delete "35%" and insert "27.5%".

Page 42, delete line 18.

Page 42, between lines 18 and 19, begin a new line double block indented and insert:

"At least \$100,000,000 but less than

\$125,000,000 30%

At least \$125,000,000 32.5%

The tax rates set forth in this table apply to that portion of the licensed owner's adjusted gross receipts corresponding to each rate regardless of the licensed owner's total adjusted gross receipts."

Renummer all SECTIONS consecutively.

(Reference is to HB 1729 as printed January 22, 2001.)

BAUER

Motion prevailed.

HOUSE MOTION
(Amendment 1729-18)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 9, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 5. IC 4-33-9-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 15. (a) All tokens, chips, or electronic cards that are used to make wagers must be purchased from the owner of the riverboat:

- (1) while on board the riverboat; or
- (2) at an on-shore facility that:
 - (A) has been approved by the commission; and
 - (B) is located where the riverboat docks.

(b) The tokens, chips, or electronic cards may be purchased by means of an agreement under which the owner extends credit to the patron.

(c) A licensed owner may not seek treble damages in an action to collect a gambling debt incurred under this section."

Renumber all SECTIONS consecutively.

(Reference is to HB 1729 as printed January 22, 2001.)

KUZMAN

Motion prevailed.

HOUSE MOTION (Amendment 1729-19)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 9. IC 4-31-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. The commission may:

- (1) adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement this article, including rules that prescribe:

- (A) the forms of wagering that are permitted;
- (B) the number of races;
- (C) the procedures for wagering;
- (D) the wagering information to be provided to the public;
- (E) the hours in which a racetrack or satellite facility may sell pari-mutuel pull tabs under IC 4-31-7.5;**
- ~~(F)~~ **(F)** fees for the issuance and renewal of:
 - (i) permits under IC 4-31-5;
 - (ii) satellite facility licenses under IC 4-31-5.5; and
 - (iii) licenses for racetrack personnel and racing participants under IC 4-31-6;
- ~~(G)~~ **(G)** investigative fees;
- ~~(H)~~ **(H)** fines and penalties; and
- ~~(I)~~ **(I)** any other regulation that the commission determines is in the public interest in the conduct of recognized meetings and wagering on horse racing in Indiana;

- (2) appoint employees in the manner provided by IC 4-15-2 and fix their compensation, subject to the approval of the budget agency under IC 4-12-1-13;
- (3) enter into contracts necessary to implement this article; and
- (4) receive and consider recommendations from an advisory development committee established under IC 4-31-11."

Page 3, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 3. IC 4-33-4-22 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 22. The commission may determine a riverboat's schedule, including the hours in which gambling games may be conducted within a reporting period."

Page 11, delete lines 22 through 29.

Page 17, delete lines 17 through 42.

Page 18, delete lines 1 through 17, begin a new paragraph and insert:

"Sec. 1. A gaming facility licensed under this article and not under the jurisdiction of the United States Coast Guard must comply with the safety requirements adopted by the commission. The commission shall consult with all applicable state and federal agencies to ensure compliance with standards for safety, design, construction, inspection, survey, and the moorings of a permanently or continuously moored vessel.

Sec. 2. The gaming commission may adopt additional safety requirements to promote the safety of persons entering a gaming facility.

Sec. 3. A licensee may not conduct gaming at a facility until all applicable standards have been met and the commission approves gaming at the facility."

Page 18, line 18, delete "3." and insert "4."

Page 18, line 18, delete "before".

Page 18, line 19, delete "licensure and".

Page 18, line 19, delete "thereafter by a regulatory and review" and insert **"to determine the riverboat's continuing compliance with the safety requirements adopted by the commission."**

Page 18, delete lines 20 through 21.

Page 18, delete lines 28 through 31.

Renumber all SECTIONS consecutively.

(Reference is to HB 1729 as printed January 22, 2001.)

KUZMAN

Motion prevailed.

HOUSE MOTION (Amendment 1729-41)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 35, line 30, delete "One" and insert **"Except as provided in subsection (g), one"**.

Page 35, line 40, delete "One" and insert **"Except as provided in subsection (g), one"**.

Page 36, line 4, delete "Ten" and insert **"Except as provided in subsection (g), ten"**.

Page 38, between lines 39 and 40, begin a new paragraph and insert:

"(f) The treasurer of state shall determine the total amount of money paid by the treasurer of state under subsection (b)(1), (b)(2), and (b)(3) during the state fiscal year 2001. The amount determined under this subsection is the base year revenue for each city, county, and county convention and visitors bureau or promotion fund receiving money under subsection (b)(1), (b)(2), and (b)(3). The treasurer of state shall certify the base year revenue determined under this subsection to each city, county, and county convention and visitors bureau or promotion fund receiving money under subsection (b)(1), (b)(2), and (b)(3).

(g) For state fiscal years beginning after June 30, 2001, the treasurer of state shall notify the city, county, and county convention and visitors bureau or promotion fund receiving money under subsection (b)(1), (b)(2) on the date that the entity's distributions under subsection (b) equal the entity's base year revenue. An entity may not receive a distribution under subsection (b) after the date of the notification required by this subsection.

(h) After the date of the notification required by subsection (g), the treasurer of state shall pay the remainder of riverboat admissions taxes described in subsection (b)(1), (b)(2), or (b)(3) for a particular entity to the county treasurer of each county that does not have a riverboat licensed under this article. The treasurer of state shall make the payments to each county described in this subsection according to the ratio the population of each county bears to the population of the state."

(Reference is to HB 1729 as printed January 22, 2001.)

OXLEY

After discussion, Representative Oxley withdrew the motion.

HOUSE MOTION (Amendment 1729-5)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 37, line 2, delete "One dollar (\$1)" and insert **"Sixty-seven cents (\$0.67)"**.

Page 37, between lines 12 and 13, begin a new line single block indented and insert:

"(8) Thirty-three cents (\$0.33) of the admissions tax collected by the licensed owner under section 1(b) of this chapter for each person embarking on a riverboat during the quarter shall be distributed to the counties in Indiana. Each county shall receive a percentage of the distribution under this subdivision that is equal to the percentage determined by dividing the

county's population by the total population of all counties. The amounts distributed under this subdivision shall be paid to the county auditor."

Page 37, line 13, delete "(8)" and insert "(9)".

Page 37, line 13, delete "One dollar (\$1)" and insert "Sixty-seven cents (\$0.67)".

Page 37, between lines 21 and 22, begin a new line single block indented and insert:

"(10) Thirty-three cents (\$0.33) of the admissions tax collected by the licensed owner under section 1(c) of this chapter for each person embarking on a riverboat during the quarter shall be distributed to the counties in Indiana. Each county shall receive a percentage of the distribution under this subdivision that is equal to the percentage determined by dividing the county's population by the total population of all counties. The amounts distributed under this subdivision shall be paid to the county auditor."

Page 44, between lines 11 and 12, begin a new line single block indented and insert:

"However, after a city or county has received an amount under this subdivision that is equal to the amount received by the city or county in the fiscal year ending on June 30, 2001, one-third (1/3) of any additional amounts that would be distributed to the city or county under this subdivision in the year shall be distributed instead to the counties in Indiana. Each county shall receive a percentage of this distribution that is equal to the percentage determined by dividing the county's population by the total population of all counties."

Page 44, line 15, after "account," insert "At the end of each year, an amount equal to one-third (1/3) of the difference between the amount remitted under this subdivision for the year minus the amount remitted under this subdivision in the fiscal year ending on June 30, 2001, shall be distributed from the lottery and gaming surplus account to the counties in Indiana. Each county shall receive a percentage of this distribution that is equal to the percentage determined by dividing the county's population by the total population of all counties."

(Reference is to HB 1729 as printed January 22, 2001.)

DENBO

After discussion, Representative Denbo withdrew the motion.

HOUSE MOTION (Amendment 1729-28)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-31-5-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 16. (a) A permit holder shall conduct racing days for each breed of horse that has a breed development fund established under IC 4-31-11-10.

(b) If a permit holder first offered racing days for a particular breed of horse in 2000, the permit holder may not offer fewer racing days for that breed in a year beginning after December 31, 2000, than the permit holder offered for that breed in 2000.

(c) A permit holder that first receives a permit to conduct a racing meeting after December 31, 2000, shall offer racing days for a breed described in subsection (b) in the same proportion to the permit holder's total number of racing days that a permit holder first receiving a permit to conduct a racing meeting before January 1, 2001, offers racing days for the breed described in subsection (b)."

Renumber all SECTIONS consecutively.

(Reference is to HB 1729 as printed January 22, 2001.)

HERRELL

Motion prevailed.

HOUSE MOTION (Amendment 1729-29)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 36, line 27, after "." insert "With respect to a breed development fund for a breed of horse first offered racing days in 2000, the commission shall annually deposit the greater of the following into the breed development fund:

(i) The amount deposited in the breed development fund in 2000, multiplied by one and five-hundredths (1.05).

(ii) The amount deposited in the breed development fund in 2000, multiplied by the ratio that the total number of racing days for the breed of horse bears to the total number of racing days offered under IC 4-31."

Renumber all SECTIONS consecutively.

(Reference is to HB 1729 as printed January 22, 2001.)

HERRELL

Motion prevailed.

HOUSE MOTION (Amendment 1729-20)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 1, between line 1 and the enacting clause, begin a new paragraph and insert:

"SECTION 1. IC 4-31-5-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 15. **Except as provided in IC 4-31-14-7.5**, any fees or penalties collected by the commission under IC 4-31-3-9(1)(E) through IC 4-31-3-9(1)(G) shall be paid into the state general fund."

Page 2, line 1, delete "Deposit" and insert "Except as provided in IC 4-33-14-6.5, deposit".

Page 33, between lines 7 and 8, begin a new paragraph and insert:

"Sec. 7.5. The commission shall deposit fines imposed under section 7 of this chapter in the women and minority business assistance fund established under section 11 of this chapter."

Page 33, between lines 23 and 24, begin a new paragraph and insert:

"Sec. 11. (a) The women and minority business assistance fund is established for the purpose of assisting women and minority businesses. The fund shall be administered by the commission. The fund consists of fines and penalties imposed by the commission under section 7 of this chapter.

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) The treasurer of state shall invest money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund."

Page 47, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 60. IC 4-33-14-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6.5. The commission shall deposit fines imposed under section 6 of this chapter in the minority and women business assistance fund established under section 11 of this chapter.

SECTION 61. IC 4-33-14-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 11. (a) The minority and women business assistance fund is established for the purpose of assisting minority and women businesses. The fund shall be administered by the commission. The fund consists of fines and penalties imposed by the commission under section 7 of this chapter.

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) The treasurer of state shall invest money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund."

Renumber all SECTIONS consecutively.
(Reference is to HB 1729 as printed January 22, 2001.)

CRAWFORD

Motion prevailed.

HOUSE MOTION
(Amendment 1729-13)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 25, line 2, after "9." insert "(a)".

Page 25, between lines 4 and 5, begin a new paragraph and insert:
"(b) **A racetrack or satellite facility authorized to sell pari-mutuel pull tabs under this chapter may not contain more than five hundred (500) of the terminals or devices described in subsection (a).**".

(Reference is to HB 1729 as printed January 22, 2001.)

AVERY

Motion failed.

HOUSE MOTION
(Amendment 1729-15)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 24, line 31, after "2001" delete "." and insert ", **if the sale of pari-mutuel pull tabs at the facility has been approved in a local public question under section 5.5 of this chapter.**".

Page 24, between lines 37 and 38, begin a new paragraph and insert:

"**Sec. 5.5. (a) Pari-mutuel pull tabs may not be sold at a facility described in section 5(1) of this chapter unless the voters of the county in which the facility is located have approved the sale of pari-mutuel pull tabs.**

(b) **If at least the number of the registered voters of the county required under IC 3-8-6-3 for a petition to place a candidate on the ballot sign a petition submitted to the clerk of the circuit court requesting that a local public question concerning the sale of pari-mutuel pull tabs be placed on the ballot, the county election board shall place the following question on the ballot in the county during the next primary or general election or a special election held under this section:**

"**Should the sale of pari-mutuel pull tabs be allowed in the county of _____?**".

(c) **A public question under this section shall be placed on the ballot in accordance with IC 3-10-9.**

(d) **If a public question is placed on the ballot under this section and the voters of the county do not vote in favor of allowing the sale of pari-mutuel pull tabs, another public question regarding the sale of pari-mutuel pull tabs may not be held in the county for at least two (2) years.**

(e) **In a special election held under this section:**

(1) **IC 3 applies, except as otherwise provided in this section; and**

(2) **at least as many precinct polling places that were used in the county during the most recent election must be used for the special election.**

(f) **The clerk of the circuit court of a county holding an election under this section shall certify the results determined under IC 3-12-4-9 to the commission and the department of state revenue.**".

(Reference is to HB 1729 as printed January 22, 2001.)

MELLINGER

Motion prevailed.

HOUSE MOTION
(Amendment 1729-16)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 25, line 35, delete "One-third (1/3)" and insert "**One-half (1/2)**".

Page 25, line 37, delete "One-third (1/3)" and insert "**One-half (1/2)**".

Page 25, delete lines 39 through 42.

Page 26, delete lines 1 through 5.

(Reference is to HB 1729 as printed January 22, 2001.)

MELLINGER

Motion prevailed.

HOUSE MOTION
(Amendment 1729-17)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-33-2-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 5.5. "Cruise" means to depart from the dock while gambling is conducted.**

SECTION 2. IC 4-33-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. "Dock" means the location where ~~an excursion~~ a riverboat moors for the purpose of embarking passengers for and disembarking passengers from ~~a gambling excursion: the riverboat.~~

SECTION 3. IC 4-33-2-15.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 15.5. "Patron" means an individual who:**

(1) **boards a riverboat; and**

(2) **is not entitled to receive a tax free pass.**

SECTION 4. IC 4-33-2-16.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 16.5. "Reporting period" means a twenty-four (24) hour increment used by the department to assess taxes under this article commencing at 6 a.m. on one (1) day and concluding at 5:59 a.m. the following day."**

Page 1, reset in roman lines 9 through 10.

Page 2, reset in roman lines 11 through 15.

Page 3, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 7. IC 4-33-4-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. **If a riverboat cruises,** the commission shall authorize the route of ~~a the~~ riverboat and the stops, if any, that the riverboat may make **while on a cruise.**

SECTION 8. IC 4-33-4-21.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 21.2. (a) The Indiana gaming commission shall require a licensed owner to conspicuously display the number of the toll free telephone line described in IC 4-33-12-6 in the following locations:

(1) On each admission ticket to a riverboat, ~~gambling excursion:~~ **if tickets are issued.**

(2) On a poster or placard that is on display in a public area of each riverboat where gambling games are conducted.

(b) The toll free telephone line described in IC 4-33-12-6 must be:

(1) maintained by the division of mental health under IC 12-23-1-6; and

(2) funded by the addiction services fund established by IC 12-23-2-2.

(c) The commission may adopt rules under IC 4-22-2 necessary to carry out this section.

SECTION 9. IC 4-33-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) The commission may issue to a person a license to own one (1) riverboat subject to the numerical and geographical limitation of owner's licenses under this section and IC 4-33-4-17. However, not more than eleven (11) owner's licenses may be in effect at any time. Except as provided in subsection (b), those eleven (11) licenses are as follows:

(1) Two (2) licenses for a riverboat that operates from **or is docked in** the largest city located in the counties described under IC 4-33-1-1(1).

(2) One (1) license for a riverboat that operates from **or is docked in** the second largest city located in the counties described under IC 4-33-1-1(1).

- (3) One (1) license for a riverboat that operates from ~~or is docked in~~ the third largest city located in the counties described under IC 4-33-1-1(1).
- (4) One (1) license for a city located in the counties described under IC 4-33-1-1(1). This license may not be issued to a city described in subdivisions (1) through (3).
- (5) A total of five (5) licenses for riverboats that operate upon ~~or are docked in~~ the Ohio River ~~from at~~ counties described under IC 4-33-1-1(2). The commission may not issue a license to an applicant if the issuance of the license would result in more than one (1) riverboat operating from ~~or docking in~~ a county described in IC 4-33-1-1(2).
- (6) One (1) license for a riverboat that operates upon Patoka Lake from a county described under IC 4-33-1-1(3).
- (b) If a city described in subsection (a)(2) or (a)(3) conducts two (2) elections under section 20 of this chapter, and the voters of the city do not vote in favor of permitting riverboat gambling at either of those elections, the license assigned to that city under subsection (a)(2) or (a)(3) may be issued to any city that:
- (1) does not already have a riverboat operating ~~from in~~ the city; and
 - (2) is located in a county described in IC 4-33-1-1(1).

SECTION 10. IC 4-33-6-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) In determining whether to grant an owner's license to an applicant, the commission shall consider the following:

- (1) The character, reputation, experience, and financial integrity of the following:
 - (A) The applicant.
 - (B) A person that:
 - (i) directly or indirectly controls the applicant; or
 - (ii) is directly or indirectly controlled by the applicant or by a person that directly or indirectly controls the applicant.
- (2) The facilities or proposed facilities for the conduct of riverboat gambling.
- (3) The highest prospective total revenue to be collected by the state from the conduct of riverboat gambling.
- (4) The good faith affirmative action plan of each applicant to recruit, train, and upgrade minorities in all employment classifications.
- (5) The financial ability of the applicant to purchase and maintain adequate liability and casualty insurance.
- (6) If the applicant has adequate capitalization to provide and maintain a riverboat for the duration of the license.
- (7) The extent to which the applicant exceeds or meets other standards adopted by the commission.

(b) In an application for an owner's license, the applicant must submit to the commission a proposed design of the riverboat and the dock. ~~The commission may not grant a license to an applicant if the commission determines that it will be difficult or unlikely for the riverboat to depart from the dock.~~

SECTION 11. IC 4-33-6-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. In an application for an owner's license, the applicant must state the dock at which the riverboat is based and the navigable waterway on which the riverboat will operate ~~or be located~~.

SECTION 12. IC 4-33-6-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) A licensed owner must post a bond with the commission at least sixty (60) days before the commencement of ~~regular gambling on the riverboat. excursions.~~

- (b) The bond shall be furnished in:
- (1) cash or negotiable securities;
 - (2) a surety bond:
 - (A) with a surety company approved by the commission; and
 - (B) guaranteed by a satisfactory guarantor; or
 - (3) an irrevocable letter of credit issued by a banking institution of Indiana acceptable to the commission.
- (c) If a bond is furnished in cash or negotiable securities, the principal shall be placed without restriction at the disposal of the commission, but income inures to the benefit of the licensee.

(d) The bond:

- (1) is subject to the approval of the commission;
 - (2) must be in an amount that the commission determines will adequately reflect the amount that a local community will expend for infrastructure and other facilities associated with a riverboat operation; and
 - (3) must be payable to the commission as obligee for use in payment of the licensed owner's financial obligations to the local community, the state, and other aggrieved parties, as determined by the rules of the commission.
- (e) If after a hearing (after at least five (5) days written notice) the commission determines that the amount of a licensed owner's bond is insufficient, the licensed owner shall upon written demand of the commission file a new bond.
- (f) The commission may require a licensed owner to file a new bond with a satisfactory surety in the same form and amount if:
- (1) liability on the old bond is discharged or reduced by judgment rendered, payment made, or otherwise; or
 - (2) in the opinion of the commission any surety on the old bond becomes unsatisfactory.
- (g) If a new bond obtained under subsection (e) or (f) is unsatisfactory, the commission shall cancel the owner's license. If the new bond is satisfactorily furnished, the commission shall release in writing the surety on the old bond from any liability accruing after the effective date of the new bond.

(h) A bond is released on the condition that the licensed owner remains at the site for which the owner's license is granted for the lesser of:

- (1) five (5) years; or
 - (2) the date the commission grants a license to another licensed owner to operate from the site for which the bond was posted.
- (i) A licensed owner who does not meet the requirements of subsection (h) forfeits a bond filed under this section. The proceeds of a bond that is in default under this subsection are paid to the commission for the benefit of the local unit from which the riverboat operated.
- (j) The total and aggregate liability of the surety on a bond is limited to the amount specified in the bond and the continuous nature of the bond may in no event be construed as allowing the liability of the surety under a bond to accumulate for each successive approval period during which the bond is in force.

(k) A bond filed under this section is released sixty (60) days after:

- (1) the time has run under subsection (h); and
- (2) a written request is submitted by the licensed owner.

SECTION 13. IC 4-33-6-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) An owner's license issued under this chapter permits the holder to own and operate one (1) riverboat and equipment for each license.

(b) **An owner's license issued under this chapter permits the holder to:**

- (1) **conduct gambling games authorized under this article while the riverboat is cruising or docked; and**
- (2) **allow the continuous ingress and egress of passengers for purposes of gambling.**

(c) An owner's license issued under this chapter must specify the place where the riverboat must operate and dock. However, the commission may permit the riverboat to dock at a temporary dock in the applicable city for a specific period of time not to exceed one (1) year after the owner's license is issued.

~~(c)~~ (d) An owner's initial license expires five (5) years after the effective date of the license.

SECTION 14. IC 4-33-6-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 11. The commission may revoke an owner's license if:

- (1) the licensee begins regular ~~riverboat excursions~~ **operations** more than twelve (12) months after receiving the commission's approval of the application for the license; and
- (2) the commission determines that the revocation of the license is in the best interests of Indiana.

SECTION 15. IC 4-33-9-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. (a) Except as provided in

subsection (b), a riverboat ~~excursions~~ **cruise** may not exceed four (4) hours for a round trip.

(b) Subsection (a) does not apply to an extended cruise that is expressly approved by the commission.

SECTION 16. IC 4-33-9-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14. (a) This section applies only to a riverboat that operates from a county that is contiguous to the Ohio River.

(b) A ~~gambling excursion~~ **cruise** is permitted only when the navigable waterway for which the riverboat is licensed is navigable, as determined by the commission in consultation with the United States Army Corps of Engineers."

Page 10, between lines 5 and 6, begin a new paragraph and insert: "SECTION 18. IC 4-33-10-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. An action to prosecute a crime occurring during a gambling ~~excursion on a riverboat~~ shall be tried in the county of the dock where the riverboat is ~~based~~ **located**.

SECTION 19. IC 4-33-12-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) A tax is imposed on admissions to ~~gambling excursions a riverboat~~ authorized under this article at a rate of three dollars (\$3) for each ~~person admitted to the gambling excursion~~ **patron who is on board at the time a passenger count is recorded**.

(b) **Passenger counts must be recorded one (1) hour after the start of each reporting period and once every two (2) hours thereafter under procedures approved by the commission.**

(c) **If the riverboat's schedule as approved by the commission does not provide for the riverboat to be open to the public at the start of the reporting period, passenger counts must be recorded one (1) hour after the riverboat begins admitting patrons during a reporting period and once every two (2) hours thereafter under procedures approved by the commission.**

(d) This admission tax is imposed upon the licensed owner conducting the gambling ~~excursion~~ **operation**."

Page 10, after line 42, begin a new paragraph and insert: "SECTION 21. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2001]: IC 4-33-2-8; IC 4-33-9-2; IC 4-33-12-2."

Delete pages 11 through 15.

Page 16, delete lines 1 through 25.

Page 16, delete lines 38 through 42.

Page 17, delete line 1.

Page 17, line 2, delete "(d)" and insert "(c)".

Page 17, line 5, delete "(e)" and insert "(d)".

Page 17, line 11, delete "(f)" and insert "(e)".

Page 17, delete lines 13 through 42.

Delete pages 18 through 34.

Page 35, delete lines 1 through 23.

Page 35, line 28, reset in roman "Except as provided by subsection (c)."

Page 36, line 34, delete "If a permit holder sells pulltabs".

Page 36, delete lines 35 through 42.

Page 37, delete line 1.

Page 37, delete lines 13 through 21.

Page 37, reset in roman lines 22 through 42.

Page 38, reset in roman lines 1 through 5.

Page 38, line 6, reset in roman "(d)".

Page 38, line 6, delete "(c)".

Page 38, line 7, after "(b)(2)" delete ":".

Page 38, line 7, reset in roman "or subsection (c)(1):".

Page 38, line 19, reset in roman "(e)".

Page 38, line 19, delete "(d)".

Page 38, line 27, reset in roman "(f)".

Page 38, line 27, delete "(e)".

Page 38, line 28, reset in roman "subsections".

Page 38, line 28, delete "subsection".

Page 38, line 28, after "(b)(5)" delete ":".

Page 38, line 28, reset in roman "and (c)(5):".

Page 39, delete lines 20 through 42.

Delete pages 40 through 41.

Page 42, delete lines 1 through 4.

Page 43, delete lines 7 through 35.

Page 44, delete lines 16 through 42.

Delete page 45.

Page 46, delete lines 1 through 11.

Page 46, delete lines 30 through 42.

Delete pages 47 through 51.

Page 52, delete lines 1 through 17.

Renumber all SECTIONS consecutively.

(Reference is to HB 1729 as printed January 22, 2001.)

FRENZ

Representative Kuzman rose to a point of order, citing Rule 119.1, stating that the motion substituted different subject matter without the consent of the author of the bill. The Speaker ruled the point was well taken and the motion was out of order.

HOUSE MOTION (Amendment 1729-12)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 1, reset in roman lines 9 through 10.

Page 2, reset in roman lines 11 through 15.

Page 12, reset in roman lines 16 through 21.

Page 13, line 1, reset in roman "eleven (11)".

Page 13, line 1, delete "ten (10)".

Page 13, line 2, reset in roman "eleven (11)".

Page 13, line 2, delete "ten (10)".

Page 13, reset in roman lines 22 through 23.

Page 18, line 33, delete "IC 4-33-6-6;".

Page 33, delete lines 37 through 42.

Delete page 34.

Page 35, delete lines 1 through 23.

Page 35, line 28, reset in roman "Except as provided by subsection (c)."

Page 35, line 28, delete "The" and insert "the".

Page 37, reset in roman lines 22 through 42.

Page 38, reset in roman lines 1 through 5.

Page 38, line 6, reset in roman "(d)".

Page 38, line 6, delete "(c)".

Page 38, line 7, after "(b)(2)" delete ":".

Page 38, line 7, reset in roman "or subsection (c)(1):".

Page 38, line 19, reset in roman "(e)".

Page 38, line 19, delete "(d)".

Page 38, line 27, reset in roman "(f)".

Page 38, line 27, delete "(e)".

Page 38, line 28, reset in roman "subsections".

Page 38, line 28, delete "subsection".

Page 38, line 28, after "(b)(5)" delete ":".

Page 38, line 28, reset in roman "and (c)(5):".

Page 44, line 4, delete "or".

Page 44, reset in roman lines 5 through 7.

Page 44, line 8, reset in roman "(C)".

Page 44, line 8, delete "(B)".

Page 44, line 11, after "(A)" delete ":".

Page 44, line 11, reset in roman "or a county described in clause (B);".

Page 45, delete lines 23 through 24.

Renumber all SECTIONS consecutively.

(Reference is to HB 1729 as printed January 22, 2001.)

AVERY

Motion prevailed.

HOUSE MOTION (Amendment 1729-41)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 35, line 30, delete "One" and insert "**Except as provided in subsection (g), one**".

Page 35, line 40, delete "One" and insert "**Except as provided in subsection (g), one**".

Page 36, line 4, delete "Ten" and insert "**Except as provided in subsection (g), ten**".

Page 38, between lines 39 and 40, begin a new paragraph and

insert:

"(f) The treasurer of state shall determine the total amount of money paid by the treasurer of state under subsection (b)(1), (b)(2), and (b)(3) during the state fiscal year 2001. The amount determined under this subsection is the base year revenue for each city, county, and county convention and visitors bureau or promotion fund receiving money under subsection (b)(1), (b)(2), and (b)(3). The treasurer of state shall certify the base year revenue determined under this subsection to each city, county, and county convention and visitors bureau or promotion fund receiving money under subsection (b)(1), (b)(2), and (b)(3).

(g) For state fiscal years beginning after June 30, 2001, the treasurer of state shall notify the city, county, and county convention and visitors bureau or promotion fund receiving money under subsection (b)(1), (b)(2) on the date that the entity's distributions under subsection (b) equal the entity's base year revenue. An entity may not receive a distribution under subsection (b) after the date of the notification required by this subsection.

(h) After the date of the notification required by subsection (g), the treasurer of state shall pay the remainder of riverboat admissions taxes described in subsection (b)(1), (b)(2), or (b)(3) for a particular entity to the county treasurer of each county that does not have a riverboat licensed under this article. The treasurer of state shall make the payments to each county described in this subsection according to the ratio the population of each county bears to the population of the state."

(Reference is to HB 1729 as printed January 22, 2001.)

OXLEY

Motion prevailed.

HOUSE MOTION (Amendment 1729-24)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-22-2-37.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 37.1. (a) This section applies to a rulemaking action resulting in any of the following rules:

- (1) An order adopted by the commissioner of the Indiana department of transportation under IC 9-20-1-3(d) or IC 9-21-4-7(a) and designated by the commissioner as an emergency rule.
- (2) An action taken by the director of the department of natural resources under IC 14-22-2-6(d) or IC 14-22-6-13.
- (3) An emergency temporary standard adopted by the occupational safety standards commission under IC 22-8-1.1-16.1.
- (4) An emergency rule adopted by the solid waste management board under IC 13-22-2-3 and classifying a waste as hazardous.
- (5) A rule, other than a rule described in subdivision (6), adopted by the department of financial institutions under IC 24-4.5-6-107 and declared necessary to meet an emergency.
- (6) A rule required under IC 24-4.5-1-106 that is adopted by the department of financial institutions and declared necessary to meet an emergency under IC 24-4.5-6-107.
- (7) A rule adopted by the Indiana utility regulatory commission to address an emergency under IC 8-1-2-113.
- (8) An emergency rule jointly adopted by the water pollution control board and the budget agency under IC 13-18-13-18.
- (9) An emergency rule adopted by the state lottery commission under IC 4-30-3-9 or IC 4-35-3-2.
- (10) A rule adopted under IC 16-19-3-5 that the executive board of the state department of health declares is necessary to meet an emergency.
- (11) An emergency rule adopted by the Indiana transportation finance authority under IC 8-21-12.
- (12) An emergency rule adopted by the insurance commissioner under IC 27-1-23-7.
- (13) An emergency rule adopted by the Indiana horse racing commission under IC 4-31-3-9.

(14) An emergency rule adopted by the air pollution control board, the solid waste management board, or the water pollution control board under IC 13-15-4-10(4) or to comply with a deadline required by federal law, provided:

- (A) the variance procedures are included in the rules; and
- (B) permits or licenses granted during the period the emergency rule is in effect are reviewed after the emergency rule expires.

(15) An emergency rule adopted by the Indiana election commission under IC 3-6-4.1-14.

(16) An emergency rule adopted by the department of natural resources under IC 14-10-2-5.

(17) An emergency rule adopted by the Indiana gaming commission under IC 4-33-4-2, IC 4-33-4-3, or IC 4-33-4-14.

(18) An emergency rule adopted by the alcoholic beverage commission under IC 7.1-3-17.5, IC 7.1-3-17.7, or IC 7.1-3-20-24.4.

(19) An emergency rule adopted by the department of financial institutions under IC 28-15-11.

(20) An emergency rule adopted by the office of the secretary of family and social services under IC 12-8-1-12.

(b) The following do not apply to rules described in subsection (a):

- (1) Sections 24 through 36 of this chapter.
- (2) IC 13-14-9.

(c) After a rule described in subsection (a) has been adopted by the agency, the agency shall submit the rule to the publisher for the assignment of a document control number. The agency shall submit the rule in the form required by section 20 of this chapter and with the documents required by section 21 of this chapter. The publisher shall determine the number of copies of the rule and other documents to be submitted under this subsection.

(d) After the document control number has been assigned, the agency shall submit the rule to the secretary of state for filing. The agency shall submit the rule in the form required by section 20 of this chapter and with the documents required by section 21 of this chapter. The secretary of state shall determine the number of copies of the rule and other documents to be submitted under this subsection.

(e) Subject to section 39 of this chapter, the secretary of state shall:

- (1) accept the rule for filing; and
- (2) file stamp and indicate the date and time that the rule is accepted on every duplicate original copy submitted.

(f) A rule described in subsection (a) takes effect on the latest of the following dates:

- (1) The effective date of the statute delegating authority to the agency to adopt the rule.
- (2) The date and time that the rule is accepted for filing under subsection (e).
- (3) The effective date stated by the adopting agency in the rule.
- (4) The date of compliance with every requirement established by law as a prerequisite to the adoption or effectiveness of the rule.

(g) Subject to subsection (h), IC 14-10-2-5, IC 14-22-2-6, and IC 22-8-1.1-16.1, a rule adopted under this section expires not later than ninety (90) days after the rule is accepted for filing under subsection (e). Except for a rule adopted under subsection (a)(14), the rule may be extended by adopting another rule under this section, but only for one (1) extension period. A rule adopted under subsection (a)(14) may be extended for two (2) extension periods. Except for a rule adopted under subsection (a)(14), for a rule adopted under this section to be effective after one (1) extension period, the rule must be adopted under:

- (1) sections 24 through 36 of this chapter; or
- (2) IC 13-14-9;

as applicable.

(h) A rule described in subsection (a)(6), (a)(9), or (a)(13) expires on the earlier of the following dates:

- (1) The expiration date stated by the adopting agency in the rule.
- (2) The date that the rule is amended or repealed by a later rule adopted under sections 24 through 36 of this chapter or this section.

(i) This section may not be used to readopt a rule under IC 4-22-2.5.

SECTION 2. IC 4-35 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:
ARTICLE 35. ELECTRONIC GAMING IN CLUBS

Chapter 1. Definitions

Sec. 1. The definitions in this chapter apply throughout this article.

Sec. 1.5. "Adjusted gross receipts" means:

- (1) the total of all cash received by a club from the operation of an electronic gaming device; minus
- (2) the total of all cash paid out as winnings to patrons.

Sec. 2. "Club" means a meeting place of a branch, lodge, or chapter of a veterans organization or fraternal association.

Sec. 3. "Commission" refers to the state lottery commission established under IC 4-30-3-1.

Sec. 4. "Distributor" means an individual or a business entity that is licensed under IC 4-35-4 to:

- (1) distribute;
- (2) sell; or
- (3) lease;

electronic gaming devices or electronic gaming associated equipment in Indiana.

Sec. 5. "Electronic gaming device" means an electromechanical device, an electrical device, or a machine that:

- (1) upon payment of consideration is available to play or operate;
- (2) may deliver or entitle the person playing the game to receive premiums, merchandise, tokens, redeemable game credits, or anything of value;
- (3) makes payoffs automatically or in any other manner; and
- (4) is approved by the commission for public gaming under this article.

Sec. 6. "Fraternal association" means a branch, lodge, or chapter of a fraternal society, an order, or an association that:

- (1) has both a state and national charter; and
- (2) is not for pecuniary profit.

Sec. 7. "Gambling operations" means the operation in clubs of electronic gaming devices licensed under this article.

Sec. 8. "Licensee" refers to a person that holds a license under this article.

Sec. 9. "Person" means an individual, a firm, an association, a joint venture, a partnership, a limited liability company, a corporation, or any other group or combination.

Sec. 10. "Qualified person" means a veterans organization or fraternal association operating in Indiana that:

- (1) operates without profit to the organization's members;
- (2) is exempt from:
 - (A) taxation under Section 501 of the Internal Revenue Code;
 - (B) property tax under IC 6-1.1-10; or
 - (C) gross income tax under IC 6-2.1-3; and
- (3) has been continuously in existence in Indiana for at least five (5) years or is affiliated with a parent organization that has been in existence in Indiana for at least five (5) years.

Sec. 11. "Veterans organization" means a local organization or a branch, lodge, or chapter of an organization that:

- (1) is both state chartered and chartered by the Congress of the United States;
- (2) is not for pecuniary profit;
- (3) consists of individuals who are or were members of the armed forces of the United States;
- (4) is organized for the mutual support and advancement of the organization's membership and patriotic causes; and
- (5) provides in the organization's constitution, charter, articles, or bylaws that, upon dissolution, all remaining assets of the organization shall be used for nonprofit purposes that will support or advance patriotic causes.

Chapter 2. General Procedures for Licensing

Sec. 1. The commission shall issue the following types of licenses under this article:

- (1) A distributor license.

(2) A club license that allows qualified persons to conduct gambling operations at clubs on electronic gaming devices.

Sec. 2. (a) A qualified person that wishes to obtain a club license under this chapter must:

- (1) submit any fee required by the commission; and
- (2) apply to the commission in a form required by the commission.

(b) A qualified person that applies for a club license shall submit to the commission the following concerning the qualified person:

- (1) The name and Indiana address of the officers of the qualified person who reside in Indiana.
- (2) The name of the qualified person.
- (3) The address of the qualified person's club.
- (4) A sworn statement that no employee of the qualified person has been convicted of or entered a plea of guilty or nolo contendere to a felony in the preceding five (5) years.
- (5) A sworn statement that:

- (A) the name of the qualified person has not been and will not be sold, leased, or lent to another person; and
- (B) the qualified person's club has not been and will not be leased or loaned to another person;

to be used for gambling operations.

(6) A copy of the federal tax exempt status for the qualified person, if applicable.

(7) Any other information that the commission determines is relevant to issuing a club license under this article.

Sec. 3. (a) A person who wishes to obtain a distributor license under this article must submit any fee required by the commission and apply to the commission in a form required by the commission.

The application must include at least the following:

- (1) The applicant's consent to credit investigations and criminal record searches.
- (2) Waivers and releases, signed by the applicant, that the commission believes are necessary to ensure a full and complete review of the application.

(b) An applicant for a distributor license shall submit to the commission the following information concerning the applicant and any individual holding at least a thirty percent (30%) interest in the applicant:

- (1) Name.
- (2) Address.
- (3) Fingerprints recorded on standard fingerprint cards by a state or municipal law enforcement agency (as defined in IC 5-2-5-1(9)).

Sec. 4. Criminal history record information obtained during an investigation of an individual shall be maintained by the commission for the term of the license and for any subsequent license term.

Sec. 5. The commission may conduct or cause to be conducted a background investigation of an applicant for licensure.

Sec. 6. (a) An applicant for licensure shall furnish all information requested by the commission, including the following:

- (1) Financial data and documents.
- (2) Certifications.
- (3) Consents.
- (4) Waivers.
- (5) Individual histories.
- (6) Other materials requested by the commission.

(b) A license may not be issued to an applicant who fails to provide all material requested by the commission.

Sec. 7. (a) Except as provided in subsection (b), the commission may require that an application or other document submitted to the commission by an applicant for licensure or by a licensee must be sworn to or affirmed before a notary public.

(b) A document submitted by an attorney on behalf of an applicant shall be signed by the attorney. The attorney's signature constitutes certification that the attorney has read the forms or documents and that, to the best of the attorney's knowledge, information, and belief, the contents of the forms or documents are true.

Sec. 8. (a) The commission shall notify an applicant who is found ineligible for licensure of the specific reasons for denial of a license. The notification must be:

- (1) in writing; and
- (2) sent by certified mail, return receipt requested.

(b) The applicant has forty-five (45) calendar days after the date the written notice is received by the applicant to request a hearing on the accuracy of and the basis for the denial of the license.

Sec. 9. The commission may not issue a license to an applicant if:

- (1) the applicant has knowingly made a false statement of material fact to the commission;
- (2) the applicant is found by the commission to lack the necessary financial stability or responsibility for licensure;
- (3) licensure of the applicant would adversely affect the public health, safety, or welfare;
- (4) the applicant is an individual and is less than twenty-one (21) years of age; or
- (5) the applicant is on the most recent tax warrant list provided to the commission by the department of state revenue.

Sec. 10. (a) A license issued under this article is automatically revoked if the commission determines that a licensee has offered, installed, serviced, maintained, possessed, or otherwise made available to the public an electronic gaming device that is not licensed by the commission.

(b) A person whose license is revoked under this section may not be licensed under this article for three (3) years after the revocation.

Sec. 11. Credit and security investigation information submitted in connection with an application for a license under this article:

- (1) is confidential for purposes of IC 5-14-3; and
- (2) may not be disclosed except for official purposes under this article or in accordance with a judicial order.

Chapter 3. Powers and Duties of the State Lottery Commission

Sec. 1. The commission has the following powers and duties for the purpose of administering, regulating, and enforcing gambling operations under this article:

- (1) All powers and duties specified in this article.
- (2) All powers necessary and proper to fully and effectively execute this article.
- (3) Jurisdiction and supervision over the following:
 - (A) All electronic gaming device gambling operations in Indiana.
 - (B) All persons in clubs where gambling operations are conducted.
- (4) Investigation of and reinvestigation of applicants and licensees and determination of the eligibility of applicants for licenses.
- (5) The taking of appropriate administrative enforcement or disciplinary action against a licensee.
- (6) Investigation of alleged violations of this article.
- (7) Establishment of fees under IC 4-35-6 for licenses issued under this article.
- (8) The conduct of hearings.
- (9) Issuance of subpoenas for the attendance of witnesses and subpoenas duces tecum for the production of books, records, and other relevant documents.
- (10) The administration of oaths and affirmations to the witnesses and the taking of depositions.
- (11) The revocation, suspension, or renewal of licenses issued under this article.
- (12) The hiring of employees to gather information, conduct investigations, and carry out other tasks under this article.
- (13) The taking of any reasonable or appropriate action to enforce this article.

Sec. 2. The commission shall adopt rules under IC 4-22-2, and may adopt emergency rules under IC 4-22-2-37.1, concerning the following:

- (1) Administration of this article.
- (2) Establishment of the conditions under which gambling operations may be conducted under this article.
- (3) Prevention of practices detrimental to the public interest and provision for the best interests of electronic gaming device gambling.
- (4) Imposition of penalties for noncriminal violations of this article.

(5) Protection or enhancement of the following:

- (A) The credibility and integrity of gambling operations authorized by this article.
- (B) The regulatory process provided in this article.

(6) Authorization of electronic gaming devices that are approved for gambling operations under this article.

(7) Any other matters necessary or desirable for the efficient and economical operation of electronic gaming devices under this article.

Sec. 3. The commission shall do the following:

- (1) Conduct all hearings concerning civil violations of this article.
- (2) Collect license fees imposed under this article and deposit the fees in the electronic gaming fund established by IC 4-35-8.
- (3) Levy and collect penalties for noncriminal violations of this article and deposit the penalties in the electronic gaming fund established by IC 4-35-8.

Sec. 4. The commission may employ or contract for additional investigators to oversee the gambling operations under this article.

Sec. 5. The commission shall require that a licensee's records concerning gambling operations must be maintained in the manner and for the time prescribed by the commission.

Sec. 6. If a licensee violates this article, the commission may do any combination of the following:

- (1) Suspend, revoke, or restrict the license of the licensee.
- (2) Impose a civil penalty set by the commission against a licensee for each violation of this article.

Sec. 7. The commission shall require a licensee conducting gambling operations to use a cashless wagering system in which a player's money is converted to tokens or electronic cards that may be used only for wagering on electronic gaming devices.

Sec. 8. (a) The state police department shall assist the commission in conducting background investigations of applicants.

(b) The commission shall reimburse the state police department for the costs incurred as a result of any assistance by the state police department from fees collected from applicants.

Chapter 4. Distributor License

Sec. 1. A distributor license issued under this chapter is required for a person to distribute, sell, or lease electronic gaming devices or equipment associated with electronic gaming devices in Indiana.

Sec. 2. To qualify for a distributor license, an applicant must do the following:

- (1) Prove, using tax records and bills of sale, that the applicant has been doing business in Indiana for two (2) years before the date of the application.
- (2) Maintain a place of business located in Indiana, including at least a warehouse and service facility.

Sec. 3. The commission shall adopt rules under IC 4-22-2 concerning other qualifications and procedures for granting a distributor license under this chapter.

Sec. 4. (a) For each distributor license that is issued by the commission, the commission shall create and maintain a list of the following:

- (1) The name of the individual who signed the application for the license.
- (2) The name, address, and telephone number of the distributor who issued the license.

(b) For each distributor license that is issued by the commission, the commission shall create and maintain a list of the following:

- (1) The number of electronic gaming devices owned by each distributor.
- (2) The serial numbers of each electronic gaming device.

(c) The lists described in subsections (a) and (b) must be made available for public inspection in the offices of the commission.

Sec. 5. A distributor may not own, manage, or control a club licensed under IC 4-35-5.

Sec. 6. A distributor may not distribute, sell, or lease an electronic gaming device in Indiana unless the device is approved by the commission under this article.

Sec. 7. A distributor may not distribute, sell, or lease an electronic gaming device to a club unless the club is licensed under

IC 4-35-5 and listed under IC 4-35-5-4.

Sec. 8. (a) A distributor license issued under this chapter expires one (1) year after the date the license is issued.

(b) A distributor license issued under this chapter may be renewed for a fee and in a manner determined by the commission.

Chapter 5. Club License

Sec. 1. A club license issued under this chapter entitles a qualified person described in section 2 of this chapter to have gambling operations on the premises of the club. However, a club may not have more than five (5) electronic gaming devices on the premises during the first two (2) years that gambling operations are licensed under this article. If a club is licensed under this article for at least two (2) years, the club may apply to the commission for permission to install an additional five (5) electronic gaming devices. The maximum number of electronic gaming devices permitted on the premises of a club under this chapter is ten (10).

Sec. 2. To qualify for a club license, an applicant must be a veterans organization or a fraternal association that has a meeting place in which the veterans organization or fraternal association intends to hold gambling operations.

Sec. 3. A license issued under this article may not be transferred without prior written approval of the commission.

Sec. 4. (a) For each club license that is issued by the commission, the commission shall create and maintain a list of the following:

- (1) The name of the individual who signed the application for the license.
- (2) The name, address, and telephone number of the qualified person that was issued the license.

(b) For each club license that is issued by the commission, the commission shall create and maintain a list of the following:

- (1) The number of electronic gaming devices at each club.
- (2) The serial numbers of each electronic gaming device.
- (3) The sticker numbers required under section 5(b) of this chapter.

(c) The lists described in subsections (a) and (b) must be available for public inspection in the offices of the commission.

Sec. 5. (a) A qualified person shall pay an annual fee established under IC 4-35-6 for each electronic gaming device located on the club premises.

(b) The commission shall annually issue a sticker with a number for each licensed electronic gaming device. The qualified person must place the sticker on each electronic gaming device that will be used for gambling operations.

Sec. 6. A club license issued under this chapter must be prominently displayed in the club.

Sec. 7. (a) A club license issued under this chapter expires one (1) year after the date the license is issued.

(b) A club license may be renewed for a fee and in a manner determined by the commission.

Sec. 8. A club established after June 30, 2001 must wait at least two (2) years after the date of the club's establishment before applying for a club license under this article.

Chapter 6. Fees

Sec. 1. The commission shall adopt rules under IC 4-22-2 to establish fees for licenses issued under this article. The fees may not exceed the following:

- (1) Five thousand dollars (\$5,000) annually for each distributor license.
- (2) One thousand dollars (\$1,000) annually for a club license if the club has one (1) electronic gaming device. The licensee shall pay an additional one thousand dollars (\$1,000) for each additional electronic gaming device after the first electronic gaming device that the qualified person will operate in the club.

Sec. 2. Fees collected under this chapter shall be deposited in the electronic gaming fund established by IC 4-35-8.

Chapter 7. Operation of Electronic Gaming Devices

Sec. 1. Electronic gaming devices and equipment associated with electronic gaming devices shall be maintained and serviced in the manner and condition required by the commission.

Sec. 2. (a) A qualified person that holds a club license under this article is responsible for keeping a written service log in the main

cabinet access area of the terminal of each electronic gaming device.

(b) A person, including an employee of the commission, who gains entry into any internal space of an electronic gaming device shall sign the log and indicate the following:

- (1) The time, date, and purpose of entry.
- (2) The electronic and mechanical meter readings.
- (3) Any parts of the terminal that are inspected or repaired.

(c) Service log forms must be:

- (1) obtained from the commission; and
- (2) retained by a qualified person during the time that the electronic gaming device is being used for gambling operations and for at least one (1) year after the electronic gaming device is removed from service.

(d) Service logs created under this section must be available for inspection by employees of the commission upon request.

Sec. 3. The commission may inspect an electronic gaming device terminal before the device or terminal is placed in operation to ensure that the electronic gaming device is in compliance with this article and the rules of the commission.

Sec. 4. Gambling operations may not take place at a club unless a club license is conspicuously posted at the club.

Sec. 5. Each electronic gaming device must prominently display a table listing the available prizes and the odds of winning.

Sec. 6. An electronic gaming device must dispense to each winning player a ticket that:

- (1) indicates the amount won; and
- (2) contains information on how to redeem the ticket for cash.

Sec. 7. (a) The holder of a club license shall immediately pay a winning player an amount won on an electronic gaming device upon presentation by the player of a winning ticket.

(b) A club may not pay a player for a winning ticket from another club.

(c) A ticket that is not redeemed within forty-eight (48) hours after the ticket is dispensed is void.

Sec. 8. (a) A distributor shall maintain records of the operation of each of the distributor's electronic gaming devices that are placed in use. The records must be made available to the commission upon request and must be sufficient to ensure that the electronic gaming device is operated in compliance with this article and the rules of the commission.

(b) The records required under this section must be held by the licensee:

- (1) during the time that each electronic gaming device is in operation; and
- (2) for at least one (1) year after the device is no longer being used for gambling operations.

Sec. 9. (a) An electronic gaming device may not be operated in a location in a club where an individual less than twenty-one (21) years of age has access to the device.

(b) A qualified person that holds a club license may not allow an individual less than twenty-one (21) years of age to wager on an electronic gaming device.

Chapter 8. Electronic Gaming Fund and Disbursement of Fund Money

Sec. 1. As used in this chapter, "fund" refers to the electronic gaming fund established by section 2 of this chapter.

Sec. 2. The electronic gaming fund is established for the purpose of providing money for the state general fund. The fund shall be administered by the commission.

Sec. 3. Expenses of administering the fund shall be paid from money in the fund and are continually appropriated to the commission for the purposes specified in this article.

Sec. 4. The fund consists of licensing fees deposited into the fund under IC 4-35-6-2.

Sec. 5. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest earned from these investments shall be credited to the fund.

Sec. 6. After administrative expenses are paid under section 3 of this chapter, the treasurer of state shall transfer money in the fund at the end of a state fiscal year to the state general fund.

Chapter 9. Crimes and Penalties

Sec. 1. A person who knowingly or intentionally tampers with an electronic gaming device with intent to interfere with the proper operation of the electronic gaming device commits a Class D felony.

Sec. 2. A person who knowingly or intentionally, with intent to manipulate the outcome, payoff, or operation of an electronic gaming device, manipulates or attempts to manipulate the outcome, payoff, or operation of an electronic gaming device commits a Class D felony.

Sec. 3. (a) Except as provided in subsection (b), a person who knowingly or intentionally purchases, sells, leases, or places in a club for use by club members or the public a type of machine that:

(1) is authorized by the commission for play; and

(2) is not licensed under this article;

commits a Class D felony.

(b) Subsection (a) does not apply to a general coin operated machine used for amusement only.

Sec. 4. A person who knowingly or intentionally sells, leases, or operates an electronic gaming device that does not pay out at least seventy-five percent (75%) of the consideration paid to play or operate the electronic gaming device as winnings commits a Class D felony.

Chapter 10. Wagering Taxes

Sec. 1. A tax is imposed on the adjusted gross receipts received from the operation of electronic gaming devices at the rate of twenty percent (20%) of the amount of adjusted gross receipts.

Sec. 2. A club shall remit the tax imposed by section 1 of this chapter to the department of state revenue by the club licensee on a monthly basis.

Sec. 3. The department of state revenue shall transfer the taxes remitted under section 2 of this chapter to the to the treasurer of state for deposit in the "m" portion of the pension relief fund (IC 5-10.3-11)."

Page 45, line 11, delete "or".

Page 45, line 13, delete "IC 4-31-7.5." and insert "**IC 4-31-7.5; or**".

Page 45, between lines 13 and 14, begin a new line block indented and insert:

"(4) an electronic gaming device licensed under IC 4-35."

Page 45, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 54. IC 35-45-5-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 12.** This chapter does not apply to gambling on electronic gaming devices authorized by IC 4-35.

SECTION 55. [EFFECTIVE JULY 1, 2001] (a) The commission shall adopt rules under IC 4-22-2 before January 1, 2002, to implement IC 4-35, as added by this act.

(b) An electronic gaming device authorized by IC 4-35, as added by this act, may not be placed into operation before January 1, 2002.

(c) This SECTION expires January 1, 2003."

Renumber all SECTIONS consecutively.

(Reference is to HB 1729 as printed January 22, 2001.)

MAHERN

After discussion, Representative Mahern withdrew the motion.

HOUSE MOTION
(Amendment 1729-10)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 5, delete lines 16 through 42.

Delete pages 6 through 52.

Page 52, after line 18, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] No new gaming facilities and no new extension of existing gaming facilities shall be permitted until January 2101.

(Reference is to HB 1729 as printed January 22, 2001.)

KRUSE

Upon request of Representatives Kruse and Bosma, the Speaker ordered the roll of the House to be called. Roll Call 12: yeas 45, nays 48. Motion failed.

HOUSE MOTION
(Amendment 1729-25)

Mr. Speaker: I move that House Bill 1729 be amended to read as follows:

Page 28, between lines 4 and 5, begin a new paragraph and insert the following:

"**Sec. 18.** (a) As used in this section, "property" means a building, a structure, or land.

(b) The first four million dollars (\$4,000,000) deposited in the buildIndiana fund lottery and gaming surplus account under section 12(a)(2) and 12(b)(2) of this chapter is annually appropriated to Historic Landmarks of West Baden for the restoration and maintenance of the West Baden Springs Hotel property.

(c) The next two million five hundred thousand dollars (\$2,500,000) deposited in the buildIndiana fund lottery and gaming surplus account under section 12(a)(2) and 12(b)(2) of this chapter is annually appropriated to the municipal historic restoration commission established by IC 4-31-11.5-2 for the restoration of historic commercial and municipal buildings."

Page 30, line 22, delete "IC 4-31-7.5-14(b)(2)." and insert "**IC 4-31-7.5-18(c).**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1729 as printed January 22, 2001.)

DENBO

Motion failed. The bill was ordered engrossed.

REPORTS FROM COMMITTEES**COMMITTEE REPORT**

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1025, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 11, nays 1.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1085, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 9, delete "remains" and insert "**is**".

Page 1, line 9, delete "after" and insert "**between the hours of**".

Page 1, line 10, delete "before".

Page 1, line 10, after "accompanied" insert "**during those hours**".

(Reference is to HB 1085 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1131, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 13, nays 0.

DVORAK, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1186, has had the same under consideration and begs leave to report the same back to the House with the

recommendation that said bill do pass.

Committee Vote: yeas 14, nays 0.

C. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1251, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 8, nays 6.

KROMKOWSKI, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1512, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 8, nays 5.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1540, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 8, nays 5.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1545, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 9, nays 4.

LIGGETT, Chair

Report adopted.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Reassignments

The Speaker announced the following reassignment:

House Bill 1493 from the Committee on Education to the Committee on Environmental Affairs.

House Bill 2032 from the Committee on Courts and Criminal Code to the Committee on Human Affairs.

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bill 1186 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representative Ulmer be added as coauthor of House Bill 1009.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Kruzan be added as coauthor of House Bill 1083.

CHENEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Thompson be added as coauthor of House Bill 1084.

CHENEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as coauthor of House Bill 1095.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Frizzell, Welch, and Becker be added as coauthors of House Bill 1148.

HASLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Budak be added as coauthor of House Bill 1150.

CHENEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as coauthor of House Bill 1152.

CHENEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Alderman be added as coauthor of House Bill 1160.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives Dillon, Budak, and Moses be added as coauthors of House Bill 1186.

DAY

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Stevenson be added as coauthor of House Bill 1219.

MELLINGER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Welch be added as coauthor of House Bill 1231.

KUZMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Kersey be added as coauthor of House Bill 1237.

THOMPSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Hasler, Buck, and Klinker be added as coauthors of House Bill 1239.

THOMPSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Robertson be added as coauthor of House Bill 1242.

THOMPSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bischoff be added as coauthor of House Bill 1243.

THOMPSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Kromkowski be added as coauthor of House Bill 1244.

THOMPSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Denbo be added as coauthor of House Bill 1251.

AVERY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Welch be added as coauthor of House Bill 1258.

FOLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Dvorak be added as coauthor of House Bill 1260.

TORR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Klinker and Wolkins be added as coauthors of House Bill 1278.

CHENEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives C. Brown, Becker, and Budak be added as coauthors of House Bill 1360.

HASLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frenz be added as coauthor of House Bill 1380.

CROOKS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Welch be added as coauthor of House Bill 1397.

V. SMITH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Alderman be added as coauthor of House Bill 1406.

T. ADAMS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Welch be added as coauthor of House Bill 1408.

T. ADAMS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Torr be removed as coauthor of House Bill 1412.

T. ADAMS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Stevenson be added as coauthor of House Bill 1434.

L. LAWSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Weinzapfel be added as coauthor of House Bill 1492.

WOLKINS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Weinzapfel be added as coauthor of House Bill 1493.

WOLKINS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Mellinger be added as coauthor of House Bill 1534.

DILLON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ulmer be added as coauthor of House Bill 1541.

DILLON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Stilwell be added as coauthor of House Bill 1575.

MELLINGER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ruppel be added as coauthor of House Bill 1618.

WELCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bosma be added as coauthor of House Bill 1673.

DILLON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Kuzman be removed as coauthor of House Bill 1729 and Representative Friend be added as coauthor.

LYTLE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Whetstone be added as coauthor of House Bill 1738.

KRUZAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Day and Hasler be added as coauthors of House Bill 1769.

DILLON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pelath be added as coauthor of House Bill 1800.

CHENEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative J. Lutz be added as coauthor of House Bill 1806.

MELLINGER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Turner be removed as author of House Bill 1816, Representative Tincher be substituted as author, and Representative Turner be added as coauthor.

TURNER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Turner be removed as author of House Bill 1817, Representative Tincher be substituted as author, and Representative Turner be added as coauthor.

TURNER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Wolkins be added as coauthor of House Bill 1824.

WEINZAPFEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Summers be added as coauthor of House Bill 1835.

LEUCK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Grubb and Crosby be added as coauthors of House Bill 1839.

T. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goeglein be added as coauthor of House Bill 1846.

C. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Stilwell be added as coauthor of House Bill 1862.

CRAWFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Friend be added as coauthor of House Bill 1866.

CRAWFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goeglein be added as coauthor of House Bill 1873.

C. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Dumezich and Kuzman be added as coauthors of House Bill 1910.

STEVENSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Wolkins be added as coauthor of House Bill 2042.

WEINZAPFEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Kruse be added as coauthor of House Bill 2128.

KLINKER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Stevenson be added as coauthor of House Bill 2144.

THOMPSON

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Sturtz the House adjourned at 4:55 p.m., this twenty-fourth day of January, 2001, until Thursday, January 25, 2001, at 10:00 a.m.

JOHN R. GREGG

Speaker of the House of Representatives

LEE ANN SMITH

Principal Clerk of the House of Representatives